

HOUSE BILL No. 1364

DIGEST OF INTRODUCED BILL

Citations Affected: IC 12-15-39.6-8; IC 12-31.

Synopsis: Long term care coverage. Requires the secretary of family and social services to establish a self-insurance plan for coverage of long term care services for all Indiana residents from 50 to 52 years of age. Requires a long term care insurer that administers the self-insurance plan to insure a resident covered under the self-insurance plan after the resident becomes 52 years of age. Requires the self-insurance plan and subsequent long term care insurance policy to be qualified for the asset disregard under the Medicaid program. Makes an appropriation.

Effective: Upon passage; July 1, 2008.

Turner, Welch, Brown T

January 17, 2008, read first time and referred to Committee on Insurance.

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Second Regular Session 115th General Assembly (2008)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2007 Regular Session of the General Assembly.

HOUSE BILL No. 1364

A BILL FOR AN ACT to amend the Indiana Code concerning human services and to make an appropriation.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 12-15-39.6-8 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2008]: Sec. 8. An individual who
3 is: ~~either:~~

4 (1) the beneficiary of a qualified long term care policy approved
5 by the department of insurance; ~~or~~

6 (2) enrolled in a health maintenance organization that both
7 provides long term care services and meets the requirements
8 under sections 4 and 5 of this chapter; ~~or~~

9 (3) **covered under the long term care coverage self-insurance**
10 **plan provided by the state under IC 12-31-2;**

11 is eligible for assistance under the Medicaid program using the asset
12 disregard under section 10 of this chapter.

13 SECTION 2. IC 12-31 IS ADDED TO THE INDIANA CODE AS
14 A **NEW** ARTICLE TO READ AS FOLLOWS [EFFECTIVE UPON
15 PASSAGE]:

16 **ARTICLE 31. LONG TERM CARE COVERAGE**

17 **Chapter 1. Definitions**



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1 Sec. 1. The definitions in this chapter apply throughout this
2 article.

3 Sec. 2. "Long term care" has the meaning set forth in
4 IC 12-15-39.6-1.

5 Sec. 3. (a) "Long term care coverage" means coverage for at
6 least twelve (12) consecutive months for a covered person on an
7 expense incurred, indemnity, or prepaid basis for long term care.

8 (b) The term does not include payment:

9 (1) of coinsurance, deductibles, or premiums for other
10 insurance policies;

11 (2) for services covered by other insurance policies; or

12 (3) for services covered by Parts A and B of the Medicare
13 program (42 U.S.C. 1395 et seq.).

14 Sec. 4. "Long term care insurance policy" has the meaning set
15 forth in IC 27-8-12-5.

16 Sec. 5. "Qualified long term care policy" has the meaning set
17 forth in IC 12-15-39.6-5.

18 Sec. 6. "Resident" means an individual who is a United States
19 citizen and lives in Indiana for at least nine (9) months per
20 calendar year.

21 Chapter 2. Long Term Care Coverage

22 Sec. 1. Beginning July 1, 2008, the state shall provide long term
23 care coverage to every resident:

24 (1) beginning on the date the resident becomes fifty (50) years
25 of age and ending on the date the resident becomes fifty-two
26 (52) years of age; and

27 (2) at no cost to the resident.

28 Sec. 2. (a) The long term care coverage provided under section
29 1 of this chapter must:

30 (1) be provided through a plan of self-insurance that is:

31 (A) administered by a long term care insurer; and

32 (B) funded by the state; and

33 (2) meet the qualification requirements that apply to a long
34 term care insurance policy under IC 12-15-39.6.

35 (b) Selection of a long term care insurer to administer the long
36 term care coverage must be made in accordance with IC 5-22-9.
37 The office shall ensure that a request for proposals is issued not
38 later than April 30, 2008.

39 Sec. 3. The long term care insurer that administers the long
40 term care coverage provided to a resident under section 1 of this
41 chapter shall, at the request of the resident and beginning on the
42 date the resident becomes fifty-two (52) years of age:

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1 (1) provide long term care coverage to the resident through a
2 qualified long term care policy issued by the long term care
3 insurer; and

4 (2) underwrite the qualified long term care policy as if the
5 qualified long term care policy were issued on the date that
6 the long term care coverage under the self-insurance plan
7 began.

8 Sec. 4. There is annually appropriated from the state general
9 fund to the office of the secretary an amount sufficient to pay the
10 expenses of providing long term care coverage under section 1 of
11 this chapter.

12 SECTION 3. An emergency is declared for this act.

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